

# Wetlands Bureau Decision Report

Decisions Taken  
04/26/2010 to 05/02/2010

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2007-01794                      127 WATER STREET REALTY INC**  
**EXETER   Squamscott River**

### Requested Action:

Amend permit to remove restriction on motorized watercraft and allow installation of dock from mid-June to ice-in.

Repair, in-kind, 11 linear feet of an existing granite retaining wall by resetting several rocks that have fallen off and install a 4'X 4' concrete anchor pad to support a 4'X 20' seasonal ramp to a 8'X 20' seasonal float totaling 240 sq. ft., for the seasonal docking structure, in the previously developed tidal buffer zone on 25 feet of shoreline frontage on the Squamscott River.

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### Conservation Commission/Staff Comments:

Comments and/or concerns regarding this seasonal docking facility received from the Exeter Conservation Commission and NH Dept of Fish & Game have been duly considered in the review of this application and addressed in project specific conditions and findings.

Inspection Date: 10/31/2007 by Frank D Richardson

### APPROVE AMENDMENT:

Amend permit to remove restriction on motorized watercraft and allow installation of dock from mid-June to ice-in.

Repair, in-kind, 11 linear feet of an existing granite retaining wall by resetting several rocks that have fallen off and install a 4'X 4' concrete anchor pad to support a 4'X 20' seasonal ramp to a 8'X 20' seasonal float totaling 240 sq. ft., for the seasonal docking structure, in the previously developed tidal buffer zone on 25 feet of shoreline frontage on the Squamscott River.

### With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated 9/11/06, as received by DES on July 30, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. This seasonal docking structure (ramp & float) shall be in place only from mid-June to ice-in to protect essential fish habitat spawning areas.
6. This shall be the only docking structure on this water frontage and any watercraft secured to the float shall not extend beyond the water-ward extension of the abutters property lines in accordance with RSA 482-A:3,XIII(b).
7. Repair to the granite block & stone retaining wall shall maintain existing size, location and configuration.
8. Work on the retaining wall shall be done during periods of low tide.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to work adjacent to surface waters.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside the 100 foot tidal buffer zone during construction.
14. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a) & (b).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 31, 2007. Field inspection determined this seasonal docking structure will have no significant adverse effect on this estuarine environment or to essential fish habitat for annual migration, staging and spawning.
6. A similar (slightly larger) seasonal docking structure was permitted (#2005-00788) and installed approximately 60 feet down stream of this seasonal structure with no adverse environmental impacts reported to date.
7. There is no dredging associated with this project.
8. Concerns regarding essential fish habitat for species such as river herring and rainbow smelt in these environs will require future applications for work in or immediately adjacent to this reach of the Squamscott River to clearly demonstrate that the proposed activity will not be deleterious to diadromous fish populations.
9. The NH Pease Development Authority Division of Ports and Harbors, Chief Harbormaster has examined the proposed site and determined that "the project will have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

**2008-00877                      JAMES POWERS INC**  
**LITTLETON   Unnamed Wetland**

Requested Action:

Applicant requests a waiver of Rule Env-Wt 806.05 for the dredge and fill of 19,900 square feet within palustrine scrub-shrub wetlands and 2 perennial streams crossings (impacting approximately 363 linear feet within the bed and banks) to construct access roads and associated driveways serving a 14-lot residential subdivision (Phase I). Mitigate wetland impacts paying a one time payment of \$50,015.99 into to the Aquatic Resource Mitigation (ARM) Fund.

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Conservation Commission/Staff Comments:

This project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund. The payment is \$50,015.99 and shall be deposited in the DES fund for the "Connecticut River - Johns River to Waits River" watershed.

APPROVE AMENDMENT:

Grant waiver to Rule Env-Wt 806.05 to dredge and fill 19,900 square feet within palustrine scrub-shrub wetlands and 2 perennial streams crossings (impacting approximately 363 linear feet within the bed and banks) to construct access roads and associated driveways serving a 14-lot residential subdivision (Phase I). Mitigate wetland impacts paying a one time payment of \$50,015.99 into to the Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

With amended conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering dated October 8, 2008, as received by DES on October 24, 2008.
2. This approval is contingent on receipt by DES of a payment of \$50,015.99 to the DES Aquatic Resource Mitigation (ARM) Fund.
3. Receipt of the ARM Fund administrative fee of \$2,695.96 on April 27, 2010 provides a two year extension of the ARM Fund payment.
3. The remaining payment of \$47,320.03 shall be received by DES by November 21, 2012 or prior to the start of construction or the application will be denied.

4. This approval is contingent on approval by the DES Terrain Alteration Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the "Phase I" area of the development.
7. The deed which accompanies the sales transaction for each of the lots within the "Phase I" area of this subdivision shall contain condition #5 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
9. Any further alteration of areas under the jurisdiction of the DES Wetlands Bureau within the "Phase II" and "Phase III" areas of this property will require a new application and further permitting by the Bureau.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Work shall be done during low flow.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. NHDES approves the waiver of Env-Wt 806.05 to extend the time frame for payment into the ARM Fund until November 21, 2012 or prior to construction which ever comes first.
2. A waiver of Rule Env-Wt 806.05 is reasonable and will not have an adverse effect on the environment or natural resources of the State and will not impact abutting properties.
3. Extending the time frame for payment into the ARM Fund is conditioned on the receipt of the administrative fee for operation of the program and the extension is granted until November 21, 2012.

**2009-00827                      SALEM CORPORATE PARK ASSOC.**  
**SALEM   Prime Wetland**

Requested Action:

Dredge and fill a total of 7,154 sq. ft. of palustrine forested /scrub-shrub wetlands and impact 19,800 sq. ft. within the 100 foot buffer to designated prime wetlands for work associated with the construction of 2,000 linear feet of roadway for the Keewaydin Drive Extension from the end of Keywaydin Drive to the intersection with Styles Road.

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Conservation Commission/Staff Comments:

The Salem Conservation Commission recommends approval of the application.

Inspection Date: 06/05/2009 by Frank D Richardson

**APPROVE PERMIT:**

Dredge and fill a total of 7,154 sq. ft. of palustrine forested /scrub-shrub wetlands and impact 19,800 sq. ft. within the 100 foot buffer to designated prime wetlands for work associated with the construction of 2,000 linear feet of roadway for the Keewaydin Drive Extension from the end of Keywaydin Drive to the intersection with Styles Road.

**With Conditions:**

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated August 29, 2009, as received by DES on November 17, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 06, 2009. Field inspection determined the site has been previously disturbed and wetlands impacts have been minimized to construct the roadway. Adequate separation between vernal pools on site and construction activities has been achieved.
6. A Prime Wetlands Public Hearing was held on this application on January 28, 2010.
7. US EPA recommends the project for NH State Programmatic General Permit.

**2009-01721                      NASHUA, CITY OF**  
**NASHUA   Prime Wetland**

**Requested Action:**

Impact 3,560 sq. ft. within the 100 foot buffer to the designated prime wetland of the Nashua River for work associated with the extension of the existing Riverwalk to include more pathways and seating and viewing areas.

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**Conservation Commission/Staff Comments:**

The Nashua Conservation Commission recommends approval of the project.

Inspection Date: 11/23/2009 by Frank D Richardson

**APPROVE PERMIT:**

Impact 3,560 sq. ft. within the 100 foot buffer to the designated prime wetland of the Nashua River for work associated with the extension of the existing Riverwalk to include more pathways and seating and viewing areas.

**With Conditions:**

1. All work shall be in accordance with plans by VHB dated July 29, 2009, as received by DES on August 03, 2009.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), project in or adjacent to designated prime wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on November 23, 2009. Field inspection determined this project will have no adverse impact to the Nashua River, a designated prime wetland.
6. A Prime Wetlands Public Hearing on this application was held on November 23, 2009.

**2009-02507**

**JARRY, MICHAEL**

**HUDSON Unnamed Wetland Unnamed Stream**

Requested Action:

Dredge and fill a total of 8,942 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway and driveway with culvert crossings to access a 39-lot residential open space development on a 194 acre combined parcel of land of which 119.8 acres will be maintained, in perpetuity, in an undeveloped and natural condition by way of a Conservation Easement.

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Conservation Commission/Staff Comments:

The Hudson Conservation Commission recommends approval of the project and will be the holder of the Conservation Easement.

APPROVE PERMIT:

Dredge and fill a total of 8,942 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway and driveway with culvert crossings to access a 39-lot residential open space development on a 194 acre combined parcel of land of which 119.8 acres will be maintained, in perpetuity, in an undeveloped and natural condition by way of a Conservation Easement.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August & November 2008, as received by DES on October 19, 2009 and Master Plan dated November, 2008 (last revised 3/05/2010) received on March 17, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Record approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Hillsborough County Registry of Deeds to the DES Wetlands Bureau.
6. NH DES Wetlands Bureau Southeast Region staff and the Hudson Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual

(January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip-rapped.
13. Work shall be done during low flow.

Compensatory Mitigation:

1. This permit is contingent upon the execution of a conservation easement on 119.8 acres as depicted on plans and narrative received October 19, 2009 and March 17, 2010.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Hillsborough County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [Town of Hudson Wetland Conservation District Boundary Markers] prior to construction.
6. The permittee has agreed to and will make a one-time payment of ten thousand dollars (\$10,000.00) to the Conservation Easement holder [the Town of Hudson] for future maintenance prior to the start of construction.
7. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course or disturb 200 or more feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The US EPA recommends this project as eligible for the NH State Programmatic General Permit based on the project specific conditions and compensatory mitigation provided.

**MINOR IMPACT PROJECT**

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**2009-02575                      NH DEPT OF TRANSPORTATION**  
**ERROL   Androscoggin River**

Requested Action:

Confirm emergency authorization issued on 10/29/09 to repair a slope failure by installing riprap impacting 1,055 sq. ft. along 40 linear feet of river bank.

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Conservation Commission/Staff Comments:

See file 2010-104 for adjacent work.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm emergency authorization issued on 10/29/09 to repair a slope failure by installing riprap impacting 1,055 sq. ft. along 40 linear feet of river bank. (NHDOT project #M106-09-01E)

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of river or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-02706                      BEDFORD, TOWN OF**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 5108 sq. ft. of wetlands for a driveway to a proposed single family building site. Work includes installation of two culverts, associated outlet protection, grading, filling and side-slope stabilization.

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APPROVE PERMIT:

Dredge and fill 5406 sq. ft. of wetlands for a driveway to a proposed single family building site. Work includes installation of three culverts, associated outlet protection, grading, filling and side-slope stabilization.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants, plan sheet dated March 11, 2010 and plan sheet revision date of March 11, 2010, as received by DES on April 2, 2010 and Construction Sequence by Peter S. Schauer, received by DES on November 10, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized



within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt

303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES received comments from an abutter to the property.

6. The applicant's agent has provided a response to the abutter's comments.

7. The applicant has revised the project design to include an additional culvert and provided documentation prepared by a NH licensed professional engineer indicating that the proposed crossing culverts will pass a 50 year storm event and will not overtop the driveway during a 100 year storm event.

8. The DES Watershed Management Bureau reviewed the application and did not require any additional information/changes, however, they encouraged using "BMP's" where possible.

9. The approval is condition on the use of New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. The permit is contingent on approval by DES Subsurface Systems Bureau to assure the site is viable for an onsite subsurface disposal system.

11. The access was previously approved by DES (File #2003-00117), however, the permit expired before any construction was conducted.

12. The new design includes an additional culvert and culvert spacing changes to provide for passage of larger storm events and a more natural connection to the down gradient wetlands.

13. DES received a plan stamped by a New Hampshire Certified Wetland Scientist ("CWS") and the CWS has indicated that they did verify the previously delineated wetland boundary as accurate.

14. The application was submitted as the Town of Bedford as the applicant, however, Mr. Fox the previous permit holder is in negotiations with the Town (as indicated by the agent) to purchase the property and it has been indicated to DES that the Town would not be responsible for the permit and has no issue with granting the permit to Mr. Fox as the applicant.

**2009-02786                      LOTTERO, ROBERT  
NORTHUMBERLAND**

**Requested Action:**

Dredge and fill  $\pm$  6,552 sq. ft. of palustrine forested wetlands for access to the back portion of a lot for wildlife management & forestry activities on  $\pm$  232 acres.

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**APPROVE PERMIT:**

Dredge and fill  $\pm$  6,552 sq. ft. of palustrine forested wetlands for access to the back portion of a lot for wildlife management & forestry activities on  $\pm$  232 acres.

**With Conditions:**

1. All work shall be in accordance with plans by Collin F. Sutherland Surveying & Forestry, as received by the Department on April 01, 2010.
2. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. No comments of concern were submitted from the Natural Heritage Bureau (NHB), the NHFG Nongame and Endangered Wildlife Program or the Conservation Commission.
3. The Applicant has indicated the wildlife management activities are under the direction of the New Hampshire Fish and Game Department and that the parcel is open to the public.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-02984**

**ROGERS, STEPHEN**

**ALTON Unnamed Stream Lake Winnepesaukee**

Requested Action:

Remove an existing 95 linear feet of culvert and install 65 linear feet of 18 inch culvert, impact 8 linear feet of bank to construct 64 sq ft of outflow protection, replace 65 linear feet of retaining wall in the same location and configuration as the pre-existing wall, and install two 4 ft wide access steps through the wall on an average of 126 ft of frontage on Lake Winnepesaukee, in Alton.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating the culvert should not be located under the pending garage location

APPROVE PERMIT:

Remove an existing 95 linear feet of culvert and install 65 linear feet of 18 inch culvert, impact 8 linear feet of bank to construct 64 sq ft of outflow protection, replace 65 linear feet of retaining wall in the same location and configuration as the pre-existing wall, and install two 4 ft wide access steps through the wall on an average of 126 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated March 22, 2010, as received by DES on March 25, 2010.
2. This permit shall not be valid until the Department has approved an amended Shoreland permit for the modifications to the approved shoreland plan.
3. This permit shall not be valid until the Department has received a notarized letter of agreement between the applicant and DOT, giving the applicant permission for the proposed work within DOT property.

4. No work is authorized to the existing 6 ft x 52 ft piling supported dock.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. This permit does not allow for the placement of any docking structures, lifts or other structures other than those structures indicated on the plan. Any new structures will require the non-conforming docking structure brought into compliance with current rules.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. This permit does not allow dredging of the lakebed for any purpose.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Wall repair shall maintain the size, location and configuration of the pre-existing structure.
11. Work shall be done during drawdown.
12. Work shall be done during low flow conditions.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of an intermittent or perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has relocated the culvert so that it no longer runs under the proposed structure, addressing the local Conservation Commission's concerns.

**2010-00243                      PSNH**  
**DERRY   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 3,813 sq. ft. of previously disturbed palustrine wet meadow and scrub-shrub wetlands for work associated with the expansion of the existing Scobie Pond Distribution Substation including a new access road.

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Conservation Commission/Staff Comments:

The Derry Conservation Commission is not opposed to the project.

APPROVE PERMIT:

Dredge and fill a total of 3,813 sq. ft. of previously disturbed palustrine wet meadow and scrub-shrub wetlands for work associated with the expansion of the existing Scobie Pond Distribution Substation including a new access road.

With Conditions:

1. All work shall be in accordance with plans by TFM dated February 3, 2010, as received by DES on February 05, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00403                      NH DEPT OF TRANSPORTATION**  
**CANAAN   Indian River**

Requested Action:

Widen the bridge 2 ft. downstream and 5 ft. upstream, add an I-beam, replace the deck, wingwalls to be raised and added impacting 2,151 sq. ft. of bank and stream (1,764 sq. ft. temporary).

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Widen the bridge 2 ft. downstream and 5 ft. upstream, add an I-beam, replace the deck, wingwalls to be raised and added impacting 2,151 sq. ft. of bank and stream (1,764 sq. ft. temporary). NHDOT project #15942.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 1/10 as received by the Department on February 19, 2010.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of bank and channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00677                      NH DEPT OF TRANSPORTATION**  
**MILTON   Jones Brook**

Requested Action:

Fill scour holes with grout bags and seal openings to repair undermined bridge footings and protect with riprap impacting 1,036 sq. ft. (463 sq. ft. temporary) of riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Fill scour holes with grout bags and seal openings to repair undermined bridge footings and protect with riprap impacting 1,036 sq. ft. (463 sq. ft. temporary) of riverine wetlands. NHDOT project #99036Z.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 1/10 as received by the Department on March 18, 2010.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of bank and channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department of Resources and Economic Development Natural Heritage Bureau (NHB) indicates that although there was a NHB record found, they do not expect it will be impacted by the project.

**2010-00881                      CANNON MTN SKI AREA -STATE OF NH**  
**FRANCONIA   Unnamed Wetland Unnamed Stream**

Requested Action:

Proposal to impact 3478 sq. ft. of wetlands/intermittent stream and bank (includes 1222 sq. ft. temporary impacts and 26 sq. ft. for maintenance impacts) for access, drainage structures, new drive terminal and associated utilities for replacement of the existing chair lift at the former Mittersill Ski Area (now part of Cannon Mountain Ski Area).

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APPROVE PERMIT:

Dredge and fill approximately 3593 sq. ft. of wetlands, intermittent stream and bank (includes 1222 sq. ft. temporary impacts and 26 sq. ft. of maintenance impacts) for access, drainage structures, new drive terminal and associated utilities for replacement of the existing chair lift at the former Mittersill Ski Area (now part of Cannon Mountain Ski Area).

With Conditions:

1. All work shall be in accordance with plans by Stevens Engineering dated April 12, 2010, as received by DES on April 15, 2010.
2. The applicant shall coordinate with the New Hampshire Natural Heritage Bureau to address any potential concerns with impacts to the "Natural Exemplary Communities" and State threatened plant species identified near the project site.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. A follow-up report prepared by a NH Certified Wetland Scientist documenting successful restoration of the temporary wetlands impact areas shall be submitted after one complete growing season following installation of the new ski lift.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacts are due to the loading design of new lifts, access to the lift by skiers and design limitations set by a Memorandum of Understanding between the US Forest Service, State of New Hampshire (DRED and NHFGD) and New Hampshire Audubon Society.
6. DES Staff conducted a field inspection of the proposed project on March 24, 2010.
7. The proposed impact area appears to be within a historically impacted area from the existing ski lift, access and non-maintained runoff/drainage areas.
8. The new drainage structures should help stabilize existing runoff.
9. This approval is conditioned on coordination with the New Hampshire Natural Heritage Bureau to address any potential concerns with impacts to the "Natural Exemplary Communities" and State threatened plant species identified near the project site.

**MINIMUM IMPACT PROJECT**

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**2009-02849                      NH DES, WETLANDS BUREAU**  
**LACONIA   Drainage Swale & Pipe**

Requested Action:

Emergency authorization follow-up report for temporarily impacting approximately 1,000 sq. ft. of drainage swale to repair a failed culvert plug that was resulting in erosion of the access road, beach and was jeopardizing the WRBP transformer and pump station.

\*\*\*\*\*

CONFIRM EMERGENCY AUTHORIZATION:

Emergency authorization (issued 12/04/09) after-the-fact approval for temporary impacts to a drainage swale to repair a failed culvert plug that was resulting in erosion of the access road, beach and was jeopardizing the WRBP transformer and pump station.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The repairs were needed immediately because flooding was resulting in erosion of the access road, beach and was jeopardizing the WRBP transformer and pump station.

**2010-00226                      SIMMONS, BRIAN & GAIL**  
**JAFFREY   Unnamed Wetland**

Requested Action:

Retain  $\pm$  1,800 sq. ft. of palustrine forested wetlands impact for driveway access to a proposed single family residence on  $\pm$  72 acres.  
\*\*\*\*\*

APPROVE AFTER THE FACT:

Retain  $\pm$  1,800 sq. ft. of palustrine forested wetlands impact for driveway access to a proposed single family residence on  $\pm$  72 acres.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. No comments of concern were submitted from the Natural Heritage Bureau (NHB), the NHFG Nongame and Endangered Wildlife Program, the NH Division of Historical Resources (DHR) or the Conservation Commission.
3. The existing crossings were installed by the previous owner under Forestry Notification 2006-01041.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00404                      NEW ENGLAND POWER COMPANY, DBA NATIONAL GRID**  
**MONROE   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 2,733 sq. ft. of palustrine forested /scrub-shrub wetlands and bridge a perennial stream for the construction of a new access road associated with the Comerford #18 Substation Revitalization Project.  
\*\*\*\*\*

Conservation Commission/Staff Comments:

No report or comments were received from the Monroe Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 2,733 sq. ft. of palustrine forested /scrub-shrub wetlands and bridge a perennial stream for the construction of a new access road associated with the Comerford #18 Substation Revitalization Project.

With Conditions:



1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated January 29, 2010, as received by DES on February 22, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f)&(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2010-00921                      LEWIS FAMILY TRUST, JEFF LEWIS**  
**BOW   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bow Tax Map 28, Lot# 34 & 34A

**2010-00922                      SEVERANCE, THOMAS & DONNA**  
**PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map 262, Lot# 38

**2010-00926                      ORDER OF ST JEROME ARMILIAN**  
**ALLENSTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Allentown Tax Map 410, Lot# 14 & 15

**2010-00928                      RYE CONSERVATION COMMISSION, TOWN OF**  
**RYE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rye Tax Map 12, Lot# 79

**2010-00929                      BARBER, ALICE**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 21, Lot# 50

**2010-00932                      MEADOWSEND TIMBERLANDS LTD**  
**BOW   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bow Tax Map 3, Lot# 57

**2010-00935                      NASH FAMILY INVESTMENT PROPERTIES**  
**HUDSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hudson Tax Map 122, Lot# 2

**2010-00985                      MORISON, JOHN**  
**LYNDEBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyndeboro Tax Map 1, Lot# 24

**2010-01020                      GOODMAN, TODD**  
**CANDIA**

COMPLETE NOTIFICATION:  
Candia Tax Map 402, Lot# 18

**2010-01027                      MURPHY, FRANCEEN**  
**CANAAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canaan Tax MAp 7, Lot# 13, 14

**2010-01029                      REILLY, BECKY**  
**FREEDOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Freedom TAx MAp 13, Lot# 33

**EXPEDITED MINIMUM**

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**2010-00143                      GLASS, KERRY**  
**WENTWORTH   Unnamed Wetland**

**Requested Action:**

Proposal to dredge and fill approximately 2678 sq. ft. of wetlands for the installation of 5 wetland crossing and 1 bridge for access to a single family residence.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission signed the application waiving their right to intervene.

**APPROVE PERMIT:**

Dredge and fill 2454 sq. ft of wetlands for 5 wetland crossings and 1 span bridge crossing for access to a proposed single family residence.

**With Conditions:**

1. All work shall be in accordance with plans by Northern Sun Septic Designs plan sheets 2, 4, 5, 6, and 7 of 7 revision date of March 22, 2010 and plan sheet 3 of 7 dated November 23, 2009 (no revision date), as received by DES on March 29, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed access utilizes an existing logging road.
6. The abutter provided an approval letter for work within 20 feet of the property boundary.
7. There are no impacts from the proposed span bridge.
8. No comments were submitted from New Hampshire Fish and Game Department or the New Hampshire Natural Heritage Bureau.

**2010-00739                      DANIEL WEBSTER COUNCIL**  
**GILMANTON IRON WORKS    Unnamed Stream**

Requested Action:

Proposal to repair and replace an existing logging and recreation access bridge on the Griswold Scout Reservation. Work consists of removing the existing 11 ft. span x 16 ft. run x 3 ft. high timber bridge with a 12 ft. to 14 ft. span x 14 ft. run x 3.75 ft. high clear span wood deck, steel beam and concrete block bridge.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene on the project.

APPROVE PERMIT:

Repair and replace an existing logging and recreation access bridge on the Griswold Scout Reservation temporarily impacting approximately 16 linear ft. of stream bank and bed. Work consists of removing the existing 11 ft. span x 16 ft. run x 3 ft. high timber bridge and replacing with a 12 ft. to 14 ft. span x 14 ft. run x 3.75 ft. high clear span wood deck, steel beam and concrete block bridge.

With Conditions:

1. All work shall be in accordance with plans by FORECO, as received by DES on April 2, 2010.
2. The project's NH Licensed Forester shall oversee the bridge removal and installation to assure it is constructed in accordance with the approved plans.
3. All stone used (if needed) within the stream bed shall be similar round stone and shall not include angular rip-rap.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a

- nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
  3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
  4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
  5. The proposed bridge spans the entire width of the stream.
  6. The replacement is not a complete "in-kind", replacement, however, it is a larger capacity full span bridge with new headwalls that will be constructed with a wider span and a shorter and higher bridge run/length. Additionally, low flows will likely result in the project qualifying as a minimum impact project per Administrative Rule Env-Wt 303.04(h).a

## GOLD DREDGE

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**2010-00980                      SPAULDING, JAMES**  
**(ALL TOWNS)   Unnamed Pond**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2010-00981                      DEARBORN, DENNIS**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2010-00982                      DEARBORN, VIRGINIA**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2010-01011                      SIBLEY, PETER**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Com

**2010-01021                      TAYLOR III, GERALD**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc. Bath Con. Com.

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2010-00964                      NEWKIRK, ROSS & CHRISTY**  
**WOLFEBORO   Sargents Pond**

COMPLETE NOTIFICATION:  
Wolfeboro Tax Map 113, Lot# 20 Sargents Pond

**2010-00965                      RAR ASSET TRUST, MITCHELL & ROSALIE RUDNICK**  
**SUNAPEE   Lake Sunapee**

COMPLETE NOTIFICATION:  
Sunapee Tax Map 128, Lot# 54 Lake Sunapee

**2010-00966                      CAREY, FRANCIS**  
**CANTERBURY   Lyford Pond**

COMPLETE NOTIFICATION:  
Canterbury Tax Map 102, Lot# 129 Lyford Pond

**2010-00967                      LAJESKIE, CHARLES & DEBORAH**  
**ALTON   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Alton Tax Map 79, Lot# 30 Lake Winnepesaukee

**2010-00968                      PEEK, PHILIP & PATRICIA**  
**SANBORNTON   Hermit Lake**

COMPLETE NOTIFICATION:  
Sanbornton Tax Map 3, Lot# 147 Hermit Lake

**2010-00969                      BRISTOL, TOWN OF**  
**BRISTOL   Newfound Lake**

COMPLETE NOTIFICATION:  
Bristol Tax Map 108, Lot# 100 Newfound Lake

**2010-01013                      CORMACK, JAMES**  
**CHATHAM   Upper Kimball Lake**

COMPLETE NOTIFICATION:  
Tax map 1 Lot 55 Upper Kimball Lake

**2010-01019                      WEEKS, WILLIAM**  
**NEWBURY   Todd Lake**

COMPLETE NOTIFICATION:

Town of Newbury, Tax Map 50 Lot 166 Block 195, Todd Lake

**ROADWAY MAINTENANCE NOTIF**

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**2010-01000                      KEENE DPW, CITY OF**  
**KEENE   Unnamed Wetland**

**2010-01002                      STRAFFORD, TOWN OF**  
**STRAFFORD   Unnamed**

**2010-01003                      NH DEPT OF TRANSPORTATION**  
**CAMBRIDGE   Unnamed Stream**

**2010-01004                      NH DEPT OF TRANSPORTATION**  
**ERROL   Unnamed Wetland**

**2010-01005                      NH DEPT OF TRANSPORTATION**  
**ERROL   Unnamed Stream**

**2010-01007                      NH DEPT OF TRANSPORTATION**  
**LYME   Unnamed Stream**

**2010-01008                      NH DEPT OF TRANSPORTATION**  
**LYME   Unnamed Stream**

**2010-01009**                      **BELMONT, TOWN OF**  
**BELMONT**   **Unnamed Wetland**

**PERMIT BY NOTIFICATION**

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**2010-00904**                      **TOEBES, DAVID**  
**ALEXANDRIA**   **Newfound Lake**

Requested Action:

Install seasonal personal watercraft lifts.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install seasonal personal watercraft lifts.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ad), installation of seasonal watercraft lifts.

**2010-00905**                      **RITCHER, JOSEPH & DENISE**  
**LACONIA**   **Lake Winnisquam**

Requested Action:

Installation of a 6 ft x 40 ft seasonal dock, a 6 ft x 4 ft anchoring pad and a seasonal boatlift on Lake Winnisquam, Laconia.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN DISQUALIFIED:

Installation of a 6 ft x 40 ft seasonal dock, a 6 ft x 4 ft anchoring pad and a seasonal boatlift on Lake Winnisquam, Laconia.

With Findings:

1. The applicant currently has an existing pending application, file number 2009-2899, for the same docking structure, anchor pad, boatlift, with an perched beach proposed.
2. DES Wetlands file 2009-2899 was submitted by the same agent indicated on this application.
3. There as been recent communication from the agent concerning file 2009-2899 indicating the application is still current.

**2010-00907**                      **BAYBERRY REAL ESTATE TRUST**  
**WOLFEBORO**   **Lake Winnepesaukee**



Requested Action:

Repair existing docking structures in kind.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing docking structures in kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-00975                      WINDMILL SHORES COMM. ASSOC.**  
**LACONIA   Opeeche Bay**

Requested Action:

Replenishment of an existing beach with no more than 10 cubic yards of sand above full lake elevation.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Replenishment of an existing beach with no more than 10 cubic yards of sand above full lake elevation.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of a beach with less than 10 cubic yards of sand.

**2010-00979                      FISSETTE, DANIEL & ALISON**  
**WESTMORELAND   Unnamed Wetland**

Requested Action:

Disqualify Permit by Notification to dredge and fill  $\pm$  480 sq. ft. of perennial stream to install a 48-in. x 20-ft. CMP culvert for driveway access.

\*\*\*\*\*

PBN DISQUALIFIED:

Disqualify Permit by Notification to dredge and fill  $\pm$  480 sq. ft. of perennial stream to install a 48-in. x 20-ft. CMP culvert for driveway access.

With Findings:

1. The project proposes Permit by Notification approval under rule Env-Wt 506.01(a)(8), The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z).
2. Pursuant to Env-Wt 506.04(c), For projects classified under Env-Wt 303.04(z) and Env-Wt 303.04(ae) involving stream impacts, the proposed project shall only impact intermittent streams as defined in Env-Wt 101.48.
3. Therefore, because the project proposes to impact a perennial stream, the PBN is disqualified.

**2010-01012                      HANSON, NANCY**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair existing docking structure in kind.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing docking structure in kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01014                      LALIBERTE, CATHERINE**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01015                      MARDEN, MARK & JACQUELINE**  
**HOLDERNESS   Squam Lake**

Requested Action:

Repair existing retaining walls in the dry during draw down.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing retaining walls in the dry during draw down.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls in

the dry during draw down.

**2010-01025                      SPINOZA, RAYMOND**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Applicant requests to install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete anchor pad on Lake Winnepesaukee, Laconia.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form.

The applicant leases 50 feet of frontage from DOT

**PBN DISQUALIFIED:**

Applicant requests to install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete anchor pad on Lake Winnepesaukee, Laconia.

**With Findings:**

1. The applicant does not own frontage on Lake Winnepesaukee, however the applicant leases 50 feet of frontage on Lake Winnepesaukee from NH DOT.
2. Pursuant to Env-Wt 402.12, "Frontage Less Than 75'. To lessen congestion, improve public safety and navigation, protect neighboring property values, and provide sufficient area for construction of facilities, docks or piers permitted on property with less than 75' of shoreline frontage shall be no larger than 4 feet x 24 feet."
3. The applicant is proposing a dock 34 feet in length on leased frontage with less than 75 feet of frontage.

**2010-01026                      GILLIS, PAUL**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Applicant requests to install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete anchor pad and a PWC lift, on Lake Winnepesaukee, Laconia.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form

**PBN DISQUALIFIED:**

Applicant requests to install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete anchor pad and a PWC lift, on Lake Winnepesaukee, Laconia.

**With Findings:**

1. The applicant does not own frontage on Lake Winnepesaukee, however the applicant has a pending lease for 50 feet of frontage on Lake Winnepesaukee from NH DOT.
2. Pursuant to Env-Wt 402.12, "Frontage Less Than 75'. To lessen congestion, improve public safety and navigation, protect neighboring property values, and provide sufficient area for construction of facilities, docks or piers permitted on property with less than 75' of shoreline frontage shall be no larger than 4 feet x 24 feet."
3. The applicant is proposing a dock 34 feet in length on leased frontage with less than 75 feet of frontage.

**2010-01043                      TOMES, CHARLES**  
**WINDHAM   Cobbetts Pond**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

PBN signed by Con Com

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2010-01044                      FLEMING, RICHARD**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

\*\*\*\*\*

**2008-01294                      MARIA L BEASLEY REV TRUST**  
**WEARE   Horace Lake**

Requested Action:

Excavate and fill 6297 sq ft within the protected shoreland to landscape and construct accessory structures on property with approximaetly 91 ft of frontage on Horace Lake in Weare.

\*\*\*\*\*

APPROVE AMENDMENT:

Excavate and fill 6297 sq ft within the protected shoreland to landscape and construct accessory structures on property with approximaetly 91 ft of frontage on Horace Lake in Weare.

AMENDMENT DESCRIPTION: Revised Planting Plan was submitted by Beaver Brook Environmental Consultants, LLC dated December 12, 2009. Further revision of plans submitted by Mike Seraikas dated April 26, 2010. Amendment changes to this permit are for work within the limits of the applicants property. Any work beyond the reference line will require a Wetland Permit.

With Conditions:

1. All work shall be in accordance with revised building plans, planting plans and stormwater plans by Riverside Ecological Designs, LLC dated June 2008 and received by the Department of Environmental Services ("DES") on July 15, 2008.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,920 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. An initial vegetation monitoring report shall be submitted to DES by August 6, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
5. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
6. Minimum spacing of the proposed plantings shall be as specified in a letter from DB Landscaping, LLC received by DES on August 5, 2008.
7. The proposed permeable parking area shall be installed and maintained in accordance with "Stabilgrid" brand specifications.
8. The proposed permeable patio shall be installed in accordance with design specifications on sheet 3 of building plans by Riverside Ecological Designs, LLC dated June 2008 and received by DES on July 15, 2008, and maintained as necessary to allow for effective stormwater infiltration.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2009-02494                      FRYER, RAYMOND AND JANICE**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 1,260 sq ft to replace existing wood skirt around basement with concrete floor and walls, and replace deck and porch.

\*\*\*\*\*

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plan submitted April 27, 2010 will add less than 150 sq ft to deck and porch.

Impact 1,260 sq ft to replace existing wood skirt around basement with concrete floor and walls, and replace deck and porch.

With Conditions:

1. All work shall be in accordance with plans by Richard Murphy dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 21, 2009.
2. No more than 11.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2). Owners of lots legally developed or landscaped prior to July 1, 2008 that do not comply with this standard are encouraged to, but shall not be required to, increase the percentage of area maintained in an unaltered state.

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2009-02655                      EDWARDS, MICHAEL**  
**KINGSTON   Great Pond**

Requested Action:

Impact 5,260 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

\*\*\*\*\*

APPROVE PERMIT:

Impact 5,260 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans submitted by Michael F. Edwards and received by the Department of Environmental Services ("DES") on March 12, 2010 and April 20, 2010.
2. No more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. This permit is contingent upon receiving all necessary approval from the NH Wetlands Bureau for impacts jurisdiction under RSA 482-A, more specifically, for all impacts proposed within the bank of the subject property.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-00633                      WEBER, GERARD**  
**ELKINS   Pleasant Lake**

Requested Action:

Impact 9,844 sq ft for the purpose of constructing a 10ft x 20ft attached deck, a 14ft wide drive, septic tank and pump chamber.

\*\*\*\*\*

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Increasing the cabin from 690 sq ft to 781 sq ft and increasing the driveway from 6,915 sq ft to 7,504 sq ft. Total impacts including temporary impact 10,443 sq ft.

Impact 9,844 sq ft for the purpose of constructing a 10ft x 20ft attached deck, a 14ft wide drive, septic tank and pump chamber.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated March 2, 2010 and received by the Department of Environmental Services ("DES") on March 22, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 8,079 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,850 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00701                      JESSEMAN, STEVEN**  
**LISBON   Ammonosuc River**

Requested Action:

Impact 120 sq ft for the purpose of installing a 40" PVC sewer line and the construction of a 72 sq ft bath house.

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APPROVE PERMIT:

Impact 120 sq ft for the purpose of installing a 40" PVC sewer line and the construction of a 72 sq ft bath house.

With Conditions:

1. All work shall be in accordance with plans by Steven Jesseman dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 30, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00703                      MCLEAR, EDWARD**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 4,000 sq ft for the purpose of constructing a new stairway and creating new retaining walls above top of bank.

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APPROVE PERMIT:

Impact 4,000 sq ft for the purpose of constructing a new stairway and creating new retaining walls above top of bank.

With Conditions:

1. All work shall be in accordance with plans by G2+1, LLC, dated January 15, 2010, and received by the Department of Environmental Services ("DES") on March 31, 2010.
2. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for impacts proposed to the retaining wall within the bank.
3. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

**2010-00726                      GILL, DANIEL**  
**DEERFIELD   Pleasant Lake**

Requested Action:

Impact 1,050 sq ft for the purpose of constructing a new foundation and installing a new septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,050 sq ft for the purpose of constructing a new foundation and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by V.W. Dingman & Sons dated February 2, 2010 and received by the Department of Environmental Services ("DES") on April 1, 2010.
2. No more than 15.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.



3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 1,282 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-00728                      PURITY SPRING INC**  
**MADISON   Purity Lake**

**Requested Action:**

Impact 250 sq ft for the purpose of constructing a concrete pad and frost wall.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 250 sq ft for the purpose of constructing a concrete pad and frost wall.

**With Conditions:**

1. All work shall be in accordance with plans submitted by Steven Hoyt and received by the Department of Environmental Services ("DES") on April 2, 2010.
2. No more than 1.22% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
4. There shall be no impacts to natural ground cover within the waterfront buffer associated with this project.  
ate.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

**2010-00741                      DEGUMBIA, MICHIAL/CYNTHIA**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 515 sq ft for the purpose of constructing a new walkway.

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APPROVE PERMIT:

Impact 515 sq ft for the purpose of constructing a new walkway.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC, dated March 24, 2010 and received by the Department of Environmental Services ("DES") on April 5, 2010.
2. No more than 23.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Upon completion of the proposed project, 320 sq ft of driveway will be converted to natural ground cover as depicted on plans received by the department on April 5, 2010.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-00769                      HAYWARD 2007 TRUST**  
**BARNSTEAD   Halfmoon Lake**

Requested Action:

Impact 1,550 sq ft for the purpose of installing a replacement septic system.

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**APPROVE PERMIT:**

Impact 1,550 sq ft for the purpose of installing a replacement septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Carl Sherblom dated March 6, 2010 and received by the Department of Environmental Services ("DES") on April 6, 2010.
2. No more than 15.70% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 5,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. This permit is contingent on approval by the DES Subsurface Systems Bureau.
15. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-00772                      STEPHENS, MARIE/RUSSELL**  
**MEREDITH   Lake Winnepesaukee**

**Requested Action:**

Impact 605 sq ft for the purpose of rebuilding existing retaining walls and constructing two stone edging walls.

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**APPROVE PERMIT:**

Impact 605 sq ft for the purpose of rebuilding existing retaining walls and constructing two stone edging walls.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated March 8, 2010 and received by the Department of Environmental Services ("DES") on April 6, 2010.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,995 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,632 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00773                      HOUDE, PAUL**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Impact 2,234 sq ft for the purpose of installing a new septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,234 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated March 23, 2010 and received by the Department of Environmental Services ("DES") on September 5, 2010.
2. No more than 19.40% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 2,306 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-00775                      CHIARELLO, ANTHONY**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Impact 3,249 sq ft for the purpose of expanding an existing primary structure.

\*\*\*\*\*

APPROVE PERMIT:

Impact 3,249 sq ft for the purpose of expanding an existing primary structure.

With Conditions:

1. All work shall be in accordance with plans by dated March 30, 2010 and received by the Department of Environmental Services ("DES") on April 5, 2010.
2. No more than 5.97% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. Areas impacted within the waterfront buffer as a result of creating an access path shall be stabilized upon completing the project and allowed to revert to natural ground cover and native vegetation
5. The project as proposed will leave approximately 23,667 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,833 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-00779                      BOURNE, WESLEY/DONITA**  
**EAST WAKEFIELD   Great East Lake**

Requested Action:

Impact 240 sq ft for the purpose of rebuilding fire damaged home in the same footprint.

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APPROVE PERMIT:

Impact 240 sq ft for the purpose of rebuilding fire damaged home in the same footprint.

With Conditions:

1. All work shall be in accordance with plans by Edwards Builders dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 7, 2010.
2. No more than 14.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately n/a sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,100 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00780                      JAFFREY, TOWN OF**  
**JAFFREY   Contoocook River**

Requested Action:

Impact 42800 sq ft for the purpose of constructing a 12" ductile iron water main.

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APPROVE PERMIT:

Impact 42,800 sq ft for the purpose of constructing a 12" ductile iron water main.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated March 10, 2010 and received by the Department of Environmental Services ("DES") on April 7, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00807                      KLN CONSTRUCTION CO INC**  
**SALEM   Arlington Mill Reservoir**

Requested Action:

Impact 12,823 sq ft for the purpose of replacing existing two bedroom home.

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APPROVE PERMIT:

Impact 12,823 sq ft for the purpose of replacing existing two bedroom home.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated March, 2010 and received by the Department of Environmental Services ("DES") on April 3, 2010.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

6. Any fill used shall be clean sand, gravel, rock, or other suitable material.

7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00850                      ANNIS, ERIC**  
**HENNIKER   Long Pond**

**Requested Action:**

Impact 2,965 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

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**APPROVE PERMIT:**

Impact 2,965 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by J.E. Belanger Land Surveying, PLLC., dated February 22, 2010 and received by the Department of Environmental Services ("DES") on April 13, 2010.
2. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-00878                      DANIEL WEBSTER COUNCIL**  
**GILMANTON   Manning Lake**

**Requested Action:**

Impact 100 sq ft for the purpose of installing new fire hydrant.

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**APPROVE PERMIT:**

Impact 100 sq ft for the purpose of installing new fire hydrant.

**With Conditions:**

1. All work shall be in accordance with plans by Gilmonton Fire Department dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 19, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00879                      WOOD, CHARLES & CONSTANCE**  
**GILMANTON   Crystal Lake**

**Requested Action:**

Impact 80 sq ft for the purpose of installing a dry fire hydrant.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 80 sq ft for the purpose of installing a dry fire hydrant.

**With Conditions:**

1. All work shall be in accordance with plans by Gilmonton Fire Department dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 19, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00880                      WHISPERING PINES ASSOCIATION**  
**GILMANTON   Crystal Lake**

**Requested Action:**

Impact 240 sq ft for the purpose of replacing a fire hydrant.

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**APPROVE PERMIT:**

Impact 240 sq ft for the purpose of replacing a fire hydrant.

**With Conditions:**



1. All work shall be in accordance with plans by Gilmanton Fire Department dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 19, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## CSPA PERMIT W/WAIVER

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**2009-02993                      ROGERS, STEPHEN**  
**ALTON   Lake Winnepesaukee**

### Requested Action:

Impact 11,711 sq ft for the purpose of replacing primary structure and associated accessory structures and installing a new septic system and dry wells.

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### APPROVE PERMIT:

Impact 11,711 sq ft for the purpose of replacing primary structure and associated accessory structures and installing a new septic system and dry wells.

**WAIVER APPROVED:** RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

### With Conditions:

1. All work shall be in accordance with revised plans by Varney Engineering, LLC., last revised April 16, 2010 and received by the Department of Environmental Services ("DES") on April 20, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 16.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each proposed planting has a 100% success rate.
7. All of the remaining 8,724 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

17. Work within wetlands, the surface water, and the banks of the surface water shall be conducted only as approved by permit issued under RSA 482-A.

**With Findings:**

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to attain a 4.5 foot greater setback from the reference line.

4. The applicant has proposed to install a drywell capable of capturing stormwater from the proposed dwelling.

5. The applicant has proposed to install new vegetated and stone lined drainage swales.

6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.

7. The applicant has proposed to provide additional, native vegetation within the waterfront buffer.

8. The applicant has proposed to install significant stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the waterfront buffer by achieving a greater setback, and provide additional planting within the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-00113                      ALBANESE, RALPH**  
**DERRY   Island Pond**

**Requested Action:**

Impact 9,457 sq ft for the purpose of replacing a primary structure, associated accessory structures, and installing a new septic system.

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**APPROVE PERMIT:**

Impact 9,457 sq ft for the purpose of replacing a primary structure, associated accessory structures, and installing a new septic system.

**WAIVERS APPROVED:** RSA 483-B:9, II(b) and RSA 483-B:9, V(g)(1) are waived to allow the expansion of a primary structure that encroaches upon the primary building setback on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

**With Conditions:**

1. All work shall be in accordance with plans by James M. Lavelle, LLS., dated September 22, 2009 and received by the Department of Environmental Services ("DES") on January 22, 2010.

2. This approval includes waivers of RSA 483-B:9, II (b) and RSA 483-B:9, V(g)(1) ,and therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.

3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau and installing the proposed septic system.
4. No more than 34.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Island Pond and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed to construct the new primary structure with a 2.9 ft greater distance from the reference line.
5. The applicant has proposed to install stormwater controls consisting of drywells capable of infiltrating stormwater from the residential dwelling.
6. The applicant has proposed to reduce the overall area of imperviousness within the protected shoreland from 80.4 % to 34.2%
7. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
8. The applicant has proposed to install stormwater controls, install a new septic system, and significantly enhance the lots ability to treat stormwater, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-00426                      298 BEAR ISLAND LLC**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

Impact 227 sq ft for the purpose of expanding a primary structure.

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APPROVE PERMIT:

Impact 227 sq ft for the purpose of expanding a primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Kurt Clason, K.A. Clason - Fine Wood Working and received by the Department Environmental Services ("DES") on March 29, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 4.27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. The project as proposed will leave approximately 11,854 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,230 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install sound stormwater controls capable of capturing all stormwater from the existing and proposed structures.
4. The applicant has proposed to install stormwater controls, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-00561**                      **BIDWELL, DAVID & SANDRA**  
**MEREDITH Waukegan Lake**

Requested Action:

Impact 500 sq ft for the purpose of expanding a primary structure.

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APPROVE PERMIT:

Impact 500 sq ft for the purpose of expanding a primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated February 12, 2010, and received by the Department of Environmental Services ("DES") on March 12, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that all plants have a 100% survival rate.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 65 sq ft of impervious coverage within the waterfront buffer.
4. The applicant has proposed to plant additional native vegetation within the waterfront and natural woodland buffers.
5. The applicant has proposed to significantly enhance the waterfront and natural woodland buffers, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-00663                      J & S REALTY TRUST**  
**WINDHAM   Cobbetts Pond**

Requested Action:

Impact 4,970 sq ft for the purpose of replacing a non-conforming dwelling and associated accessory structures.

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APPROVE PERMIT:

Impact 4,970 sq ft for the purpose of replacing a non-conforming dwelling and associated accessory structures.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc, Inc., dated March, 2010, and received by the Department of Environmental Services ("DES") on March 25, 2010, and planting plans received by the department on April 20, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is conditional upon the installation the proposed septic system approved by the NH DES Subsurface Systems Bureau.
4. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that all plants have a 100% success.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Cobbett's Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the overall imperviousness of the lot within the protected shoreland from 39.2 % to 20%.
4. The applicant has proposed to design and install a new state approved septic system
5. The applicant has proposed to plant additional, native vegetation within the waterfront and natural woodland buffers.
6. The applicant has proposed to install a new septic system, reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-00725                      LEOCHA, ANTHONY**  
**HAMPSTEAD   Island Pond**

Requested Action:

Impact 812 sq ft for the purpose of expanding an existing primary structure, constructing a new deck and installing a drywell and new septic system.

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APPROVE PERMIT:

Impact 812 sq ft for the purpose of expanding an existing primary structure, constructing a new deck and installing a drywell and new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by V.W. Dingman & Sons last revised April 9, 2010 and received by the Department of Environmental Services ("DES") on April 22, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 12.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. The project as proposed will leave approximately 1,113 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line as identified on plans received April 22, 2010.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of a drywell capable of infiltrating stormwater from the existing and proposed structures.
4. The applicant has proposed to reduce the driveway grade from 15% to 11% as well changing the direction of the driveway to a more westerly direction to better handle storm water runoff.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system beyond the limits of the protected shoreland.
6. The applicant has proposed to install stormwater controls and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

Requested Action:

Impact 11,350 sq ft for the purpose of expanding an existing primary structure.

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APPROVE PERMIT:

Impact 11,350 sq ft for the purpose of expanding an existing primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc., dated March 19, 2010 and received by the Department of Environmental Services ("DES") on April 1, 2010. 2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau and the installation of the proposed septic system.
4. No more than 14.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure there is a 100% survival rate for all proposed plantings.
7. The project as proposed will leave approximately 5,423 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Loon Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 27 sq ft of impervious surface within the waterfront buffer.



4. The applicant has proposed to plant additional native trees and saplings within the waterfront buffer.
5. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip-line of the existing and proposed structures.
6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system behind the 150 foot natural woodland buffer.
7. The applicant has proposed to install stormwater controls, install a new septic system and significantly enhance the waterfront buffer and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.